

Frequently Asked Questions (FAQs)

Transportation Alternatives Program (TAP) Congestion Mitigation and Air Quality Improvement (CMAQ) Carbon Reduction Program (CRP)

A 2023 TAP-CMAQ-CRP program overview is provided in the Notice of Funding Availability (NOFA). For a more complete program explanation, consult the 2023 TAP-CMAQ-CRP Guidebook and Appendices, located at the New York State Department of Transportation (NYSDOT) [TAP-CMAQ-CRP Website](#).

All Solicitation process questions, including technical issues, may be submitted to NYSDOT at TAP-CMAQ@dot.ny.gov. If a question raised has not been answered here, we are seeking an appropriate response. Responses will be posted weekly.

TAP

- **If a previous awarded TAP project is underway, can another application for a new project be submitted?**

Yes, an Applicant can submit a new application. Having a previous award and a successful project demonstrate an ability to advance federal aid projects.

- **Does a project need to be listed on the municipalities ADA transition plan to be eligible for TAP funds?**

All infrastructure constructed with TAP, CMAQ or CRP funds must meet the Americans with Disabilities Act (ADA) requirements. If the project is included within an ADA Transition Plan, this would be a good example of the project's consistency with existing plans. However, a project does not need to be in an ADA transition plan to be eligible.

CRP

- **What is the Carbon Reduction Program (CRP)?**

On November 15, 2021, the President signed the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law") (BIL) into law. The BIL authorized a new Carbon Reduction Program. The purpose of the Carbon Reduction Program (CRP) is to reduce transportation emissions through the development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions. NYSDOT is utilizing different methods to make these funds available to different areas within the state. Project types that aim to reduce carbon emissions are the focus of this CRP solicitation.

- **What areas can apply for CRP funds?**

CRP funds awarded in this solicitation are eligible in Small Urban (population 5,000 to 49,000) and Rural (population under 5,000) areas.

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What has changed?

- **What has changed since the 2021 TAP-CMAQ Solicitation?**
 - Inclusion of Carbon Reduction Program (CRP) funds.
 - Safe Routes to School extended to K-12.
 - Eligible Applicants expanded – See Guidebook p.7.

Equity

- **What is Justice40?**

Justice40 (J40) is an opportunity to address gaps in transportation infrastructure and public services by working toward the goal that at least 40% of the benefits from many of the federal grants, programs, and initiatives flow to disadvantaged communities. TAP, CMAQ and CRP are beholden to the Justice40 requirement. To determine the location of Justice40 designated disadvantaged communities please refer to the [USDOT Equitable Transportation Community \(ETC\) Explorer](#). The ETC is an interactive web application that uses 2020 Census Tracts and data, to explore the cumulative burden communities experience in the following five components: Transportation Insecurity, Climate and Disaster Risk Burden, Environmental Burden, Health Vulnerability, and Social Vulnerability.

- **How will priority be given to projects in disadvantaged communities? Is it part of the evaluation criteria? Is there a list of the communities that will be considered as disadvantaged?**

As noted in the Notice of Funding Availability, in addition to the formal evaluation criteria, project selection is permitted to incorporate into the final selection of eligible projects an additional set of criteria which includes project type, eligible funding source, significance, cost-effectiveness, geographic balance, and benefits of overall investments to mitigate greenhouse gas emissions in Justice40 Communities.

NYSDOT will use the USDOT Equitable Transportation Community (ETC) Explorer tool for this evaluation. More information can be found on the [USDOT Equitable Transportation Community \(ETC\) Explorer \(arcgis.com\)](#) website. Use the following link: <https://experience.arcgis.com/experience/0920984aa80a4362b8778d779b090723/page/ETC-Explorer---Homepage/>

General FAQs

- **What counties are eligible for TAP, CMAQ and CRP funding?**

TAP funding is available to all counties throughout the State.

CMAQ funding, under this solicitation, is available only within the following counties: Albany, Rensselaer, Saratoga, Schenectady, Greene, Montgomery, Onondaga, Genesee, Livingston, Monroe, Ontario, Orleans, Wayne, Erie, Niagara, Chautauqua, Jefferson,

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Dutchess, and Schoharie.

CRP funding under this solicitation is available in Small Urban (population 5,000 to 49,999) and Rural (population under 5,000) areas.

- **If a project received TAP or CMAQ funds in a previous round, and is over budget, is the project eligible for additional funding through this round of TAP-CMAQ-CRP funds?**

No, funds are capped at the original amount of funds awarded.

- **How do I submit a project that is eligible for TAP but can also demonstrate benefits that make it eligible for CMAQ and/or CRP funding?**

A Sponsor may apply for funding under multiple programs, using one application, if the project meets eligibility requirements for all programs and is located in eligible areas for each program. The applicant should complete all portions of the application, including submission of anticipated air quality benefits, and indicate in Question 10 which programs the application is for (TAP, CMAQ, CRP). See the current TAP-CMAQ-CRP Guidebook and Appendix B, C and D for eligibility criteria. A successful application will only receive funding from one source.

- **Although the Congestion Mitigation and Air Quality Improvement (CMAQ) Program does not include NYC in the eligibility, does the TAP section include NYC?**

Yes

- **Are ‘planning and design’ projects eligible for TAP grants or must they include construction?**

Planning and design projects as stand-alone projects are not eligible for TAP funds.

- **Can Northern Border Regional Commission (NBRC) funding be used as a match to TAP or CMAQ funding?**

NBRC funds are federal funds. NBRC funds cannot be used as a match for TAP or CMAQ funding. NBRC funds may be used to supplement TAP or CMAQ funding, however, both federal fund sources require a 20% match. NBRC funds may only be included in the project if the NBRC and TAP/CMAQ funding total is less than or equal to the 80% funding requirement.

- **If we do not apply to this round, when will the next opportunity be offered to apply?**

NYSDOT typically offers these solicitations every 2 to 3 years based on funding availability.

- **Do applicants need to be non-profit? Can we use an LLC (Limited Liability Company)?**

Non-Governmental Organizations must partner with or have an eligible Sponsor submit the application and sponsor the project. See Guidebook p.7.

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- **Are projects which received federal funds eligible for additional funding?**

If the project is new or an enhancement to an existing project, it may be eligible. TAP/CMAQ/CRP funding would not be available to cover cost overruns on a previously funded project awarded TAP or CMAQ funds.

Right-of-Way (ROW)

- **Can we apply for private property acquisition?**

Yes, if the property is required to implement the proposed project. All right-of-way acquisitions must comply with the Uniform Relocation Assistance and Real Property Acquisition Policy Act. See [Local Projects Manual](#), Chapter 11, Right-of-Way.

- **How far along do we need to be with acquiring the Right-of-Way necessary to complete construction of the project?**

Right-of-way acquisition does not have to begin or be completed to apply for funding. The project must proceed to construction within 24 months of the execution of the State-Local Agreement. Right-of-way acquisition are eligible costs for reimbursement once the project receives federal authorization. This solicitation limits ROW acquisition costs to no more than fifteen percent of the total project cost. For typical TAP projects, ROW costs range from three to thirteen percent of total project costs. If right-of-way is not secured within the 24-month period, project funds will be re-allocated.

- **Does Right-of-Way have to be completed for submission of an application?**

No. The acquisition of right-of-way (ROW) cannot be completed prior to receiving SEQR and NEPA determination. All ROW activities must comply with the Uniform Relocation Assistance and Real Property Acquisition Policy Act. See [Local Projects Manual](#) Chapter 11 on Right-of-Way.

- **Are tax maps sufficient proof of Right-of-Way (ROW) ownership? What documentation is required?**

Proof of ROW ownership includes any surveys and clearance certificates. A recent survey, stamped by a New York State Licensed Land Surveyor, showing the public lands is the best proof of ROW. Acceptable documents for proof of ROW include a highway boundary line on a plan stamped by a New York State or New York City licensed land surveyor or record plans for the highway showing the property boundaries. **Tax maps are not sufficient documentation for property boundary lines.** Cloud app maps are also not sufficient. Maps must be of current existing conditions and must remain static for the record. (See Guidebook p.21).

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Informational Workshops

- **Are there informational workshops available and what are the specifics?**

Sponsors must attend a workshop through a webinar. Workshop details, dates, and sign-up information are located at NYSDOT's [TAP-CMAQ-CRP Website](#). Webinar access and login information will be posted as sites become available. Continue to check the website for updated information.

- **Is there a specific Sponsor/Municipal representative who should attend the Informational Workshop? Can a consultant or grant writer/administrator represent a Sponsor at training?**

The person who will be directly responsible for the management and oversight of the project should attend the workshop. Applications are scored on the Sponsor's ability to deliver the project, including attending training and past experience administering federal-aid projects.

The Local Projects Manual (LPM), [Chapter 2](#), defines the Project Manager as an employee of the Sponsor: [Title 23 CFR 635.105\(c\) \(4\)](#) requires the Sponsor to provide a full-time employee to be in charge of the project even when using consultants to provide engineering and construction inspection services or project management. This employee is referred to as the Project Manager (PM). The PM will report to the Sponsor's Responsible Local Official (RLO) who will have ultimate oversight and responsibility for the project. The PM and the RLO may be the same individual, if the RLO has project management experience.

Grants Gateway

- **What is the Grants Gateway ID and where do I get one?**

Grants Gateway is a "one stop shop" for State grant information. Registration in Grants Gateway is required for any entity applying for or receiving state grant funds. A grantee must register as a user in the system and designate a Delegated Administrator who will manage their user account. This requires submission of a registration form. Note that your registration form must be signed, notarized and mailed to Gateway Administrators. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.

Grants Gateway is a role-based system. Users are assigned specific roles in the Grants Gateway and although a user may be able to initiate an application, **ONLY** the Sponsor representative who is assigned the role of a **Grantee Contract Signatory** or a **Grantee System Administrator** can submit an application on behalf of the Sponsor's organization.

There are several ways to identify the organization's administrator or signatory:

1. If an applicant is logged-in with a Grantee role, click on Organization, then Organization Members to see who has a role within the organization.
2. If an applicant knows the Grantee Delegated Administrator in the organization (the person in charge of creating Grants Gateway roles within the organization), an

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applicant can go to that Administrator to have one created.

3. An Applicant can contact Grants Gateway help desk.

To find out if your organization is registered in [Grants Gateway](#), enter your SFS Vendor ID, if your SFS Vendor ID is not recognized, you need to register in Grants Gateway. Register [here](#). All Grants Gateway ID #'s follow the format of "GDV-XXX-00000."

For Grants Gateway log-in or technical questions, contact Grants Gateway at:
grantsgateway@its.ny.gov or (518) 474-5595 from 8:00 am to 4:30 pm (M – F).

- **Since all application supporting documentation will be transmitted through the Grants Gateway, what is the maximum file size?**

Maximum file size per file is 10MB. If you have a file which exceeds the file size, contact Grants Gateway for further direction.

- **Can an application submitted before the deadline be updated prior to the deadline?**

Once you have submitted your application, you will need to contact the Grants Gateway helpdesk if you need to update it prior to the deadline. *NOTE: You must resubmit your application or it will not be reviewed.*

- **To confirm, it is the Grantee Contract Signatory role that has the ability to create a project application.**

A Grantee, Grantee Contract Signatory or a Grantee System Administrator can start an application and complete all the screens. However, only a Grantee Contract Signatory or a Grantee System Administrator can submit the application.

General Application Questions

- **Is there a limit to the number of applications a Sponsor can submit?**

There is no limit to the number of applications a Sponsor can submit. However, a maximum of two applications will be awarded funding to any Sponsor/Municipality.

- **Where can I get tips on estimating project costs?**

NYSDOT provides these resources for estimating project costs:

- [NYSDOT Highway Design Manual Chapter 21](#) – Contract Plans, Specifications and Estimates contains computation sheets.
- [NYSDOT Weighted Average Item Price Report](#) and the [Pay Item Catalog](#) maybe used for cost estimating purposes.
- A [Quick Estimating tool](#) is located on the TAP-CMAQ website with current costs.

Typically, small projects have higher proportional design (engineering) and construction inspection costs. The need for Survey work may increase the cost of the project which is part of the engineering costs.

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- **Can an employee of the municipality who is a registered NYS licensed Professional Engineer sign the PE certification letter for the application?**

Yes, an employee of a municipality can perform this service as long as they are a registered NYS Professional Engineer.

- **Is the National Environmental Policy Act (NEPA) required for this application?**

Every project awarded funding through this solicitation must comply with all state and federal requirements including the NEPA and the State Environmental Quality Review Act (SEQR), as applicable to the project. It is not required that NEPA and SEQR review be completed prior to application submission. The schedule should reflect estimated timelines for completing these requirements, as applicable to the project.

Match Funds

- **How is match assurance documented?**

A resolution from a legislative body, a letter from a mayor, or financial officer, documenting the availability of required matching funds are examples of acceptable documentation. A municipal resolution is required for the execution of a State-Local Agreement (SLA).

- **Can volunteer labor count toward the match?**

Federal code ([23 CFR 635.104](#)) requires contracting out labor unless some other method is justified through a Public Interest Finding, which must be done prior to the beginning of the project. The value of volunteer and other in-kind services should be estimated up front for NYSDOT/Federal Highway Administration (FHWA) review and approval.

- **Can separate funding sources awarded be used for different phases (e.g. TAP funds used for Design and another fund source used for construction)?**

Yes. This would be reflected in the budget portion of your application. **Other than Recreational Trails Program funding**, federal funds cannot be used as the match portion required. Design, Construction, and ROW would need to follow both federal and state requirements as the use of federal aid on any portion makes the entire project “a federal aid project.”

- **What are examples of documented match assurance?**

Examples of acceptable documents to assure a match include a letter or a Municipal Resolution. See Guidebook p. 18.

- **Do the \$500,000 to \$5,000,000 amounts include or exclude the sponsor match?**

\$500,000 and \$5,000,000 is the federal share. See the Guidebook p.12. for further clarification.

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- **Can TAP money be used for a match to a NYS Consolidated Funding Application (CFA) grant?**

TAP funding may be applied depending on the rules associated with the funding source of the CFA grant. A case-by-case review of the funding source would be required to determine eligibility of applying as a match.

Project Development Process/Coordination

- **Who would be the lead agency on the State Environmental Quality Review (SEQR)? Can the SEQR process start before submitting an application?**

The Project Sponsor is the lead agency for SEQR. The SEQR process may begin prior to application submission; however, any work completed prior to federal authorization is not eligible for reimbursement.

- **Who would be the lead agency on the National Environmental Policy Act (NEPA)? Can the NEPA process start before submitting an application?**

FHWA is the lead agency for NEPA. The NEPA process may begin prior to application submission; however, any work completed prior to federal authorization is not eligible for reimbursement. Refer to the Local Projects Manual (LPM), Chapter 7 Overview of the Environmental Process.

- **If a proposed project extends into the jurisdiction of another local or state agency, how is this reflected on the application?**

If a project overlaps NYSDOT geographic boundaries, the application will be reviewed by each NYSDOT Region. If a project impacts another municipal jurisdiction, the application should reflect that jurisdiction's support through a letter or resolution.

Upload/submit support documentation through the Grants Gateway. The proposed project should only have one application with one Sponsor.

- **Our project crosses two Counties. Can we only submit the application through one County?**

The application should be submitted by the County who will administer the project. The application should also include a description of the duties shared between the Counties as to who will have responsibility for the tasks required to administer the project. A Memorandum of Agreement will be required at the time of Execution of the State Local Agreement.

- **If a municipal Sponsor submits a project application on behalf of a nonprofit organization, and the municipal Sponsor has an application for another project, are the two projects combined?**

No, each individual project requires a separate application and each project will be evaluated separately.

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- **Do Disadvantage Business Enterprise (DBE) goals apply to these projects?**

All Federal aid projects will include DBE requirements and goals, which vary depending on project type and geographic location. See the NYSDOT Office of Civil Rights DBE program goals website.

- **Does the municipality need to have a completed Americans for Disabilities (ADA) transition plan to be able to receive federal funding? Where can I find specific ADA requirements for a project?**

Yes, you must comply with all federal requirements under [28 CFR 35.105](#) as noted in the NYSDOT Local Projects Manual (LPM) Chapter 13, Civil Rights Requirements. Contact your Regional Local Project Liaison (RLPL).

- **How should community support be documented? Would a letter from the municipality be sufficient?**

Community support may be demonstrated through a letter from a leader in your municipality or a municipal resolution. If your project requires a permit, a letter of support from that agency/owner is recommended.

- **Is a locally funded project currently in the design phase eligible to receive funding?**

The design portion of the project is not eligible to receive federal funds. Only phases advanced after project award and execution of a state local agreement are eligible for reimbursement including construction, however, it must demonstrate that it can reach construction within 24 months of award (execution of a State-Local Agreement with NYSDOT).

- **What happens if there are delays due to a required Environmental Impact Statement?**

The project schedule in the application should reflect any anticipated environmental reviews. Delays to a project schedule following award will be reviewed on a project-by-project basis.

- **Is the cost for the sponsor covered by the award?**

If the Sponsor's work force completes work under the project, those costs may be eligible for reimbursement. See the [Local Projects Manual](#) Chapter 5 for allowable Sponsor Direct and Indirect Costs.

Maintenance/Operations Requirements

- **Is maintenance of snow and ice removal a requirement of TAP, CMAQ and CRP projects?**

A Sponsor needs to ensure that a facility will be maintained for the life of the project. Accommodations should be made for public access and may vary based on project and location.

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Consultants

- **Can a consultant prepare an application for a municipality and still compete for the engineering services should the municipality be awarded a grant?**

Yes. A Sponsor would need to advertise for the selection of a consultant and include the task of preparing the application, as well as the engineering services within the same procurement. Thereby, if the Sponsor is a recipient of the award, the consultant would be eligible to provide the engineering services.

- **Clarify the use of consultants.**

Federal regulations require a qualifications-based selection (QBS) process for procuring/obtaining/hiring engineering services. Price cannot be a factor in the selection process. The fee for services is negotiated along with the scope of services AFTER selection has been made. See the NYS County Highway Superintendents Association's web site <https://www.countyhwys.org/>.

Construction/Contractor

- **Is the "Implementation Date" referring to the letting date or the construction start date?**

For a construction project, the "implementation date" is the construction letting date.

- **Is there a time limit from when the project is selected for funding to the time construction must start?**

Construction Authorization (NYSDOT has concurred with Construction Contract bid documents) must be granted and the project must proceed to construction within 24 months of award (award is defined as a fully executed State-Local Agreement – (SLA), See Guidebook, p. 21.

- **When can the Planning & Design phase start? When is work reimbursable?**

To be eligible for reimbursement, planning and design may only begin after federal authorization to proceed has been granted to the project Sponsor. Award notification letters will be sent, then NYSDOT Regional Local Project Liaisons (RLPLs) will contact the project Sponsor to begin the federal authorization and project development processes. Only eligible expenses incurred after federal authorization may be submitted to NYSDOT for reimbursement.

- **Is a municipal resolution required or recommended as an attachment to the grant application?**

A resolution is not required to be submitted as part of the application. If it is available, it can be uploaded with the application in Grants Gateway. If your project is awarded, a resolution to execute a Federal Aid State-Local Agreement will be needed.

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- **Can multiple grant requests that cover different project categories be submitted?**

A project may be eligible for multiple categories, however, select the category that best represents the scope of your project.

- **Does the 30-month construction window begin AFTER the 24-month start of construction deadline?**

Yes, the project will be completed within 30 months of commencing construction.

Pre-Review

- **For the pre-review, does the application need to be submitted in the Grants Gateway at this point?**

No. Email the “Pre-Review Request” to the TAP-CMAQ-CRP mailbox: TAP-CMAQ@dot.ny.gov. The application should not be submitted in the Grants Gateway until it is final.

- **If a NYS PE provides a pre-review, does that eliminate that engineer from bidding on design services for the project should it be awarded?**

Consultants who prepare all or part of an Application including the pre-review, may not participate in a competitive solicitation for consultant services for the same project, unless the consultant has been procured through a competitive process that included subsequent phases of the project, such as design, construction support, and construction inspection of the project. (Guidebook p. 13) For more information on Consultant Procurement see Chapter 6 of the [Local Projects Manual](#).

- **If we submit a budget in Pre-Review, can it be changed in the final application?**

Yes, the budget as well as other portions of the application can be changed up until the project is submitted. NYSDOT encourages applicants to use the comments received from the pre-review in preparing its final submission.

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Link References:

[NYSDOT TAP-CMAQ webpage](http://www.dot.ny.gov/TAP-CMAQ)
<http://www.dot.ny.gov/TAP-CMAQ>

[NYSDOT Highway Design Manual, Chapter 21](https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/chapter-21)
<https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm/chapter-21>

[NYSDOT Weighted Average Item Price Report](https://www.dot.ny.gov/divisions/engineering/design/dqab/waipr)
<https://www.dot.ny.gov/divisions/engineering/design/dqab/waipr>

[Pay Item Catalog](https://www.dot.ny.gov/main/business-center/engineering/specifications/pay-item-catalog)
<https://www.dot.ny.gov/main/business-center/engineering/specifications/pay-item-catalog>

[Quick Estimating Tool](https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau/tap-cmaq/repository/Quick)
<https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau/tap-cmaq/repository/Quick>

[Local Projects Manual](http://www.dot.ny.gov/plafap/)
<http://www.dot.ny.gov/plafap/>